

## **ARTICLE II. KEEPING OF FOWL, RABBITS AND GUINEA PIGS**

### **Sec. 6-31. Location restrictions for fowl.**

It shall be unlawful, except as provided in sections 6-33 and 6-34 of this Code, for any person to keep, possess or maintain in the city any chickens, turkeys, geese, ducks, pea-fowls, or any other bird or fowl, except parakeets, canaries, parrots, cockatoos, macaws or similar size birds, or any pens, enclosures, or other structures in which any such fowl are kept or possessed within 100 feet of any actual residence or habitation of human beings, or within 100 feet of any church, school or hospital, other than the residence of the keeper, possessor or owner of such fowl, such distance of 100 feet to be measured in a straight line from the nearest point of any pen, enclosure, or other such structure in which such fowl are kept to the nearest point of such actual residence or place of human habitation, or church, school or hospital.

(Code 1968, § 6-37; Ord. No. 70-1448, § 1, 8-25-70; Ord. No. 99-404, § 2, 4-28-99)

### **Sec. 6-32. Location restrictions for rabbits and guinea pigs.**

It shall be unlawful, except as provided in section 6-33, for any person to keep, possess or maintain in the city any rabbits or guinea pigs, or any pens, enclosures, hutches, cages or other structures in which any such rabbits or guinea pigs are kept, possessed or maintained, within 100 feet of any actual residence or habitation of human beings, or within 100 feet of any church, school or hospital, other than the residence of the keeper, possessor, or owner of such rabbits or guinea pigs, such distance of 100 feet to be measured in a straight line from the nearest point of any pen, enclosure, hutch, cage or other such structure in which such rabbits or guinea pigs are kept to the nearest point of such actual residence or place of human habitation, or church, school or hospital.

(Code 1968, § 6-38)

### **Sec. 6-33. Keeping for commercial purposes.**

It shall be unlawful for the owner or keeper of any geese, ducks, turkeys, chickens or other domestic fowl or rabbits or guinea pigs, where such fowl or animals are kept for sale or for any purpose other than domestic use or home consumption, to allow such fowl or animals to roam in open pens on the ground; but such owner or keeper may keep such fowl or animals for sale or commercial purposes, provided he keeps such fowl or animals in batteries or coops arranged inside of buildings and kept in a sanitary condition, and he shall remove all droppings from such buildings, batteries or coops at least once each day, and disinfect and deodorize such buildings, batteries or coops at least once each day.

(Code 1968, § 6-39)

**Sec. 6-34. Keeping for public showing.**

Notwithstanding anything in this article, it shall be lawful for any person to keep, possess and maintain chickens, turkeys, geese, ducks, pea-fowls, guineas, rabbits and guinea pigs for the purpose of a legitimate showing of such fowl and animals for purely public exhibition, provided the conditions provided in this article are observed.

(Code 1968, § 6-40)

**Sec. 6-35. Limitation on number to be kept.**

No more than 30 chickens, or 30 turkeys, or 30 geese, or 30 ducks, or 30 pea-fowls, or 30 rabbits, or 30 guinea pigs, and no more than 40 of any combination of such chickens, turkeys, geese, ducks, pea-fowls, rabbits and guinea pigs shall be kept upon any lot or enclosure of the size of 65 by 125 feet or less. In the event that such fowl or animals are kept in a larger enclosure, the number so kept and maintained may be increased only in the ratio that the above figures of 30 and 40 bear to the increase in the square footage of such larger enclosure.

(Code 1968, § 6-41)

**Sec. 6-36. Maintenance of premises where kept.**

(a) Pens, hutches, or houses or any enclosure in which fowl, rabbits or guinea pigs are kept must be cleaned and disinfected daily, must be limed every two days and must be kept in a clean and sanitary condition at all times.

(b) Litter and droppings from such fowl, rabbits and guinea pigs must be collected daily and stored in a flytight container and hauled away at intervals of not to exceed seven days. Rabbit and guinea pig hutches must have traps or floors to keep droppings or urine from such animals off the ground.

(Code 1968, § 6-42)

**Sec. 6-37. Keeping guineas prohibited.**

It shall be unlawful to keep or maintain within the limits of the city any guinea fowl or guinea hens.

(Code 1968, § 6-43)

**Sec. 6-38. Permit to keep chicken hens.**

Notwithstanding anything in this article it shall be lawful for any person who has obtained a permit therefor from the health officer to keep, possess and maintain no more than seven chicken hens for the purpose of providing such person with fresh unfertilized eggs. A revocable permit

therefor may be issued by the health officer for the keeping of seven or less chicken hens under the following conditions:

- (1) The applicant shall furnish or cause to be furnished to the health officer written certification from a licensed physician that in the opinion of such physician the applicant has need of fresh unfertilized chicken eggs for serious reasons pertaining to said person's health.
- (2) The health officer, after inspection by him or his authorized representative, has determined that the premises where the applicant proposes to keep the chicken hens is adequate for the number of chicken hens for which a permit is sought, and that if properly maintained, the keeping of the chicken hens will not create a health hazard or nuisance.
- (3) The permit, if granted, may be revoked upon finding pursuant to a public hearing conducted by the health officer that the permittee cannot or will not maintain the premises in a sanitary condition or that the permittee has failed to permit inspection by the health officer of the place where the hens are kept, provided that the permittee shall be given prior notice of the date, time and place of the hearing setting forth the grounds upon which the revocation is based and affording the permittee an opportunity to appear in person or through counsel, present evidence and cross examine witnesses appearing at such hearing.

(Code 1968, § 6-44; Ord. No. 68-308, § 1, 2-27-68)

Secs. 6-39--6-50. Reserved.